

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

TERRANCE JOE QUINLAN,

Plaintiff,

v.

KING COUNTY et al,

Defendants.

CASE NOS. 23-1510 (9th Cir.); 2:22-
cv-01718-TL-SKV (W.D. Wash.)

ORDER DENYING *IN FORMA*
PAUPERIS APPLICATION

This matter is before the Court on referral of Plaintiff-Appellant Terrance Joe Quinlan's application to proceed *in forma pauperis* from the U.S. Court of Appeals for the Ninth Circuit. Dkt. No. 21.

Plaintiff-Appellant's application must be denied. A prisoner may not:

bring a civil action *or appeal a judgment in a civil action or proceeding* [with *in forma pauperis* status] if the prisoner has, on 3 or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury.

1 28 U.S.C. § 1915(g) (emphasis added). As this Court and the Honorable S. Kate Vaughan, U.S.
2 Magistrate Judge, have explained, Plaintiff-Appellant is an incarcerated individual who has
3 accumulated three “strikes” under 28 U.S.C. § 1915(g). Dkt. Nos. 12, 14 (denying *in forma*
4 *pauperis* status at district court level); Dkt. No. 17 (dismissing case for failure to pay filing fee).
5 He does not show any indication that he is “under imminent danger of serious physical injury”
6 nor any significant change in circumstances (such as no longer being incarcerated) that might
7 warrant a departure from these prior rulings. *See* 28 U.S.C. § 1915(g). Therefore, Plaintiff-
8 Appellant remains ineligible for *in forma pauperis* status, and his application must be denied.

9 Accordingly, Plaintiff-Appellant’s application to proceed *in forma pauperis* before the
10 Ninth Circuit (Dkt. No. 21) is DENIED. He must pay the filing fee to proceed in his appeal before
11 the Ninth Circuit. The Clerk is DIRECTED to send a copy of this Order to the Ninth Circuit.

12 Dated this 18th day of August 2023.

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15 Tana Lin
16 United States District Judge
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